

**REMARKS**

The Examiner has rejected claims 13-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2003/0195275 to Sanada et al ("Sanada") in view of U.S. Patent No. 5,116,409 to Moffatt ("Moffatt"). The Examiner has also rejected claims 13-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,485,138 to Kubota et al ("Kubota") in view of Moffatt. In addition, the Examiner has rejected claims 13-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2003/0218661 to Okada et al ("Okada") in view of Moffatt. Claims 13-20 are currently pending. The following remarks are considered by applicant to overcome each of the Examiner's outstanding rejections to current claims 13-20. An early Notice of Allowance is therefore requested.

**I. SUMMARY OF RELEVANT LAW**

The determination of obviousness rests on whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. In determining obviousness, four factors should be weighed: (1) the scope and content of the prior art, (2) the differences between the art and the claims at issue, (3) the level of ordinary skill in the art, and (4) whatever objective evidence may be present. Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor. The Examiner carries the burden under 35 U.S.C. § 103 to establish a prima facie case of obviousness and must show that the references relied on teach or suggest all of the limitations of the claims.

**II. REJECTION OF CLAIMS 13-20 UNDER 35 U.S.C. §103(A) IN VIEW OF MOFFATT**

In the current Office Action, the Examiner rejects claims 13-20 under 35 U.S.C. § 103(a) as being unpatentable over various references in view Moffatt. These

rejections are respectfully traversed and believed overcome in view of the following discussion.

**Claims 13-20**

Independent Claim 13 claims, in part:

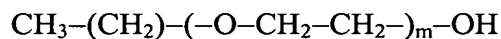
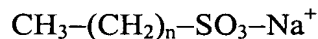
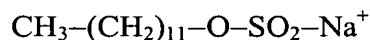
“a surfactant represented by the following general formula (3):



wherein n represents an integer of 2 to 4, R<sup>1</sup> represents an alkyl group having a number of carbon atoms of 12 to 15, and M represents Na or triethanolamine.”

Application (as published), P. 16.

The Examiner admits that none of the primary sources cited (Sanada, Kubota, and Okada) disclose a surfactant represented by the Formula (3) of the current application. Office Action (5/30/06), P. 1-5. As a result, the Examiner cites to Moffatt for the disclosure of Formula (3). *Id.* However, as admitted by Examiner, Moffatt discloses surfactants with the general formulas of:



Moffatt, Col. 5, Lns. 9-22; Office Action (5/30/06), P. 2-5. However, n is only ever disclosed as being equal to 3 and m is only ever disclosed as being equal to 2. Moffatt, Col. 5, Lns. 9-22. No range is given for either n or m. *Id.*

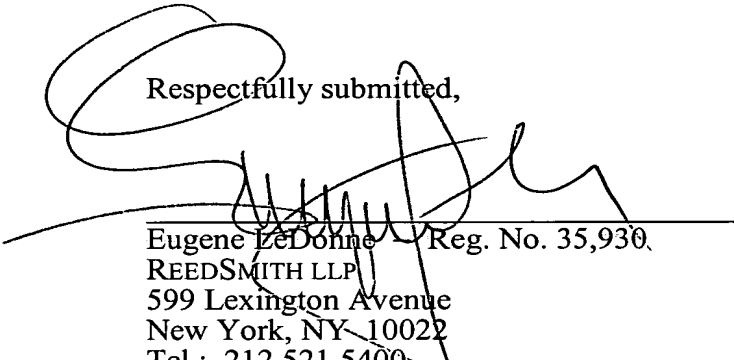
As is apparent, none of the three formulas from Moffatt disclose Formula (3) of the current application. Only one of the formulas disclosed by Moffatt has an ethylene oxide chain (CH<sub>3</sub>-(CH<sub>2</sub>)-(-O-CH<sub>2</sub>-CH<sub>2</sub>-)<sub>m</sub>-OH), and that formula does not contain the claimed alkyl group having a number of carbon atoms of 12 to 15, nor does it contain the claimed SO<sub>3</sub>M group where M represents Na or triethanolamine. As a result, the references cited by the Examiner fail to teach or suggest each and every element as set forth in independent Claim 13

Since the references cited by the Examiner fail to teach or suggest each and every element as set forth in independent Claim 13, Applicants respectfully assert that

Examiner has failed to establish a prima facie case of obviousness of independent Claim 13, and corresponding claims 14-20 because they are all dependant from Claim 13. Therefore, Applicants respectfully request that Examiner remove the rejections of claims 1-18 under 35 U.S.C. § 103(a).

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,



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